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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/414,558	10/08/1999	SEPPO REINO KERONEN	169,1469	3473

5514 7590 05/27/2003

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EXAMINER

FUREMAN, JARED

ART UNIT	PAPER NUMBER
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2876

DATE MAILED: 05/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/414,558

Applicant(s)

KERONEN ET AL.

Examiner

Jared J. Fureman

Art Unit

2876

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 05 May 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY** [check either a) or b)]

- a) ☒ The period for reply expires 5 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
- ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet.

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: None.

Claim(s) objected to: None.

Claim(s) rejected: 46-48,50,51,53,55,56,60-62,64,66 and 76-114.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

8. ☒ The proposed drawing correction filed on 05 May 2003 is a) ☐ approved or b) ☒ disapproved by the Examiner.
9. ☒ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). 19.
10. ☒ Other: See Continuation Sheet

*Jared J. Fureman*  
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Art Unit 2876

Continuation of 2. NOTE: Regarding claims 76 and 77: "dependent upon a selected indicium" raises new issues that would require further consideration and/or search.

Continuation of 5. does NOT place the application in condition for allowance because: Regarding applicant's argument that the final office action applied a new grounds of rejection to unamended claim 61: Claim 61 depends from claim 60, which was amended to depend from claim 55. Claim 55 was amended in the amendment filed on 9/10/2002. The new grounds of rejection applied to claim 61 (the addition of the Kitagawa et al reference) was necessitated by the amendments to claim 55 (from which claim 61 indirectly depends). Thus, the finality of the previous office action was appropriate. Furthermore, the teachings of Combaluzier, Kitagawa et al, Masuzawa et al, and Cohn et al meet the claimed limitations.

Continuation of 10. Other: The IDS filed on 5/5/2003 has been considered, since it was filed merely to provide a copy of a reference cited in the IDS filed on 9/16/2002. Note that several references were lined through, since these references were previously considered in the IDS filed on 9/16/2002.

The proposed drawing correction filed on 5/5/2003 has been disapproved. The specification indicates that figure 26 is prior art (see page 6 line 26, and page 23 line 21 - page 24 line 3). Thus, it appears that the "Prior Art" legend on figure 26 is appropriate.

Claims 46-48, 50, 51, 53, 55, 56, 60-62, 64, 66 and 76-114 remain rejected as set forth in the final office action (see paper number 16).